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SECURITY COUNCIL
Forty-eighth year

Letter dated 13 April 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a letter from the Minister for Foreign Affairs of the Russian Federation, Mr. A. V. Kozyrev (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 80 of the preliminary list, and of the Security Council.

(Signed) Y. VORONTSOV

* A/48/50.

ANNEX

Letter dated 8 April 1993 from the Minister for Foreign Affairs of the Russian Federation addressed to the Secretary-General

I am writing to you on a matter which, as a result the events of recent years, has become one of the urgent priority tasks facing the international community.

I am referring to the pernicious influence of armed conflicts on the humanitarian climate of our planet. I fully support the efforts of the United Nations and your own personal contribution towards averting and settling conflicts, but in this letter I should like to focus on the human dimension of the problem.

The expanding geographical scope of armed conflicts, as well as the ever-increasing bitterness of the fighting, which results in enormous losses, above all among the civilian population, give cause for alarm. It is particularly sad that use is being made against the civilian population of types of weapons which may have indiscriminate effects such as: aircraft, anti-personnel mines, missiles and artillery, igniting mixtures, rocket salvo systems and poisonous substances.

In places where the lines of military confrontation are drawn on the basis of ethnicity and religious belief, the taking of hostages, violence, plunder, looting, open terror and mass deportations are common practices. Religious and cultural facilities and the means of livelihood are brutally destroyed. The recruitment and use of mercenaries is practised and criminal elements and even children are drawn into the war. Recently formed armed forces, which have a very vague idea of the laws and customs of war and the elementary rules governing the treatment of prisoners of war and civilians, are actively engaged in present-day conflicts.

Russia holds an honoured place in the history of diplomacy and international law as one of the first to advocate the humanization of the military sphere. Following these traditions of mercy, democratic Russia sees it as its duty to urge the international community to intensify its efforts to protect the victims of both international and internal conflicts.

Among the most immediate tasks facing the international community in this area is the establishment of an atmosphere of active rejection and resolute condemnation of any violations of international humanitarian law. The most powerful political and diplomatic impetus in this direction could be provided by the Security Council and the General Assembly of the United Nations. Such efforts might include a review of the work being done to bring into force the mechanism for combating the use of mercenaries provided for in the Convention drawn up and adopted under United Nations auspices in 1989. In the Russian Federation work has begun on the procedures for adherence to this important international instrument and we call upon all States in the world, in the light of the tragic events of recent times, once again to consider making it a universal code of international rules with a view to putting an end to the dangerous phenomenon of the use of mercenaries.

We believe that the United Nations could give an impetus to international cooperation by restricting the permissible parameters for military action, for instance by expanding the list of civilian installations, attacks on which must, in every case, be regarded as a military crime. These installations might include, for example, humanitarian aid convoys, corridors for the delivery of such aid, localities where there are mass concentrations of refugees and the means of transport for their conveyance, and food supplies.

A key question of humanitarian law is responsibility for crimes against the civilian population, the wounded and prisoners of war.

The Russian Federation supports efforts to establish a special international tribunal in connection with crimes committed in the territory of the former Yugoslavia. We recently transmitted proposals regarding the establishment and effective functioning of such an organ.

In the context of the problem of putting an end to military crimes, the work being carried out by the International Law Commission with a view to the early establishment of a permanent international criminal court takes on practical significance. It would be useful to recommend that the International Law Commission should pursue on a more practical level its related work on the drafting of a code of crimes against the peace and security of mankind.

Priority must be given to the protection of human rights and fundamental freedoms and respect for the honour and dignity of the human being everywhere and always, even within the sound of bursting shells and whistling bullets. Humanism and mercy must prevail where today the ideas of military necessity and the desire to inflict the maximum number of casualties on the enemy dominate.

The Russian Federation is prepared to make its contribution to this noble task and intends to make additional comments with a view to easing the plight of the victims of armed conflicts on the basis of the strengthening of the international legal regime for their protection.